

Charter Transition Team
June 26, 2007
Library Conference Room, 6th Floor COB

Attendance

Members: Gary Bischoff, Chair
Marianne Collins, Wayne Harris, Lou Klein, Phil Terpening
Excused – Gerald Benjamin, Robert Parete
Staff: County Attorney's Office – Bea Havranek, Eric Stock
Legislative Office – Meg Dellay
Public: Lee Crane – LWV
Press: Katie Young,
Public: Allan Wikman

Bea Havranek called the meeting to order at 4:37pm (Gary arriving momentarily).

Highlights

- 1. Steve Acquario, NYSAC**
- 2. Erie County Charter**
- 3. Paralegal Effort**
- 4. Organizational Chart**
- 5. Other Business**

1. Steve Acquario, NYSAC – Steve reported a long history with Ulster County Legislature when Dr. Benjamin chaired. He told the legislators that the transition will be hard and they will have to assume a new role in policymaking. He said the legislators' primary job will be to appropriate and approve funds, and serve as checks and balances. Steve works with 18 County Executives across the state. In his experience, when the County Executive and County Legislature are at odds, it is not useful for anyone (e.g., Dutchess and Orange Counties with their respective one person majority). Steve also noted that the Legislature will continue to make laws and can override vetoes by the County Executive.

Steve shared his conversations with John Grant, the first County Executive (1983) in Rockland County. In answer to the question of why the change, John Grant replied they thought it was something better for the county. The primary impetus was Economic Development since there was no one with authority to speak for county development. Steve said the Business Community supported the Executive form of government and sold it to the public.

Steve had organizational charts from two counties - Rockland and Onondaga. He strongly suggested to "keep it simple" when organizing departments. In particular, Onondaga County shows departments divided into three major services - Administrative & Financial Services; Human Services; and Physical Services. This structure is similar to Ulster County's four Mini Cabinets – Client Services; General Operations; Public Safety; and Physical Assets.

A discussion about Ulster County departments yielded suggestions/observations:

- merge Public Safety and Physical Assets?
- limit the number of deputy county executives
- independent elected officers are a department of government
- community college poses a unique relationship – a part of county government with only 20% of its budget funded by the county

Steve also reported that the preliminary data of census figures is showing that counties south of Albany are growing. The demographics are interesting, with youth and 25-44 year olds leaving, and 65 + staying. These new figures will affect district lines drawn for 2011. Bea expressed interest in data and Steve promised to send it. **Meg follow-up**

There was a lengthy discussion about the need for the Legislature to vote on a budget for 2009 prior to the election of County Executive (CE) in November 2008 (in answer to Steve's question about why the intense scrutiny of organization since the CE will be making his/her own decisions after elected). For practical purposes, the restructuring of departments will aid in the transition period and serve as suggestions to the new CE. After the transition, CE will propose the budget and Legislature will only appropriate funds (and focus on policymaking).

Bea mentioned the Rules of Order need to include some way for the Executive to have access to the Legislative body. She is in the process of looking at local laws to address this issue.

Steve also offered to share an interesting grid as a way to look at a state structure, and will get this chart to us (e.g., the Treasurer slides into Commissioner of Finance).
Meg follow-up

Marianne Collins expressed interest in the position of Deputy County Executive. Steve shared that he has seen some disasters, in particular Erie County where two deputies were engaged in a contentious relationship that almost brought the county down. Ultimately, the Erie Legislature voted to oust the CE.

Lou Klein added the Deputy has no authority except as delegated by the CE. The question arose of whose in charge when the CE is out with illness, etc. An Order of Succession must be determined by the CE as outlined in the Charter.

Steve highly recommended a Communication Director, which he did not see in our organizational chart. CE will propose support staff, secretary, etc. and these positions and staff are recommended to Legislature with appropriations.

Marianne wondered again how the deputies will function successfully in regards to departments - with our present number of 55 departments, this will be challenging.

Phil Terpening thought maybe it will be too expensive to have four deputies (assuming the four cabinet structure remains in place). Perhaps consolidating into three units would be better financially and organizationally. Marianne suggested merging Public Safety and Emergency Services. Steve believes Human Services includes a broad range of departments and serves well as a separate unit.

Bea said the County has local law, and the 55 departments in the Charter must remain. There is nothing to be done about the departments except aggregate responsibility.

Steve reiterated that he hopes there will be flexibility in the recommended changes. Gary repeated that the main reason to address the organization is for the Legislature to vote on the 2009 Budget before the CE comes into office.

Gary also shared with Steve that state law offers \$25,000 to counties for charter transition purposes, but Gary was told by Kyle Wilber the money is already earmarked.

At this point, Lewis Kirshner, UC Treasurer, came into the meeting to discuss estate monies. Currently, the fee from estate settlements goes to the County Treasurer, but in the charter it states the money goes to the county. Lew stated this is a rarity. Steve said most counties authorize fees and commissions to the Treasurer over and above salary. Bea stated a simple local law could address this issue.

Gary raised another issue concerning labor contracts. Usually the appointment is for a three year or six year term (Personnel, Social Services, Real Property, Commissioner of Health), but we want to avoid saddling the CE with unresolved labor issues. Steve recommended that any appointments that carry over beyond the CE commencing service should be made into acting heads.

Steve concluded that he will review other CE's form of communication. Specifically, he will call John Grant again (1st CE Rockland 1983) to confer about issues raised. He also requested a group picture which was taken.

2. Erie County Charter - Bea handed out the copies of

- a) Erie County Charter and Erie County Administrative Code
 - b) Erie County Administrative Code – Article 1 Short Title; Effect; Definitions
- Our intention is a similar version when we finish the charter transition.

3. Paralegal Effort – Bea reported that the subcommittee of the CTT continues to meet regularly on Mondays. Eric is reviewing local laws, and Meg is working on revisions to the Rules of Order of the Legislature. Local law deals with one subject, while the Administrative law deals with it piece by piece. Bea will bring the subcommittee recommendations to the Charter TT; then the CTT can make recommendations to the full Legislature. Bea foresees issuing a local law to pass the Administrative law.

Marianne Collins suggested a focus workshop (like the Charter Commission used) to work on the Charter recommendations. This idea was well received by members.

4. Organizational Chart – Gary made a few changes to the org chart which was hung – now four posters long - on the wall. The revisions included dividing the departments into four units as suggested at last month's meeting. The size is still cumbersome. The org/flow chart was reviewed considerably during Steve Aquario's presentation. Discussion ensued about redesigning the chart into a more condensed version. Steve emphasized the need to keep it simple and flexible for the incoming CE. There was a suggestion to investigate a magnetic board with movable magnets representing departments, or to put the chart into electronic form. ** Meg follow-up**

Meg researched other counties flow charts (as suggested at April's meeting). Her handouts included four charts from Dutchess, Nassau, Chemung and Chautauqua Counties. Erie County was expected to fax an updated version by meeting time (to be included in minutes). All in all, with Steve bringing Rockland and Onondaga, we have flow charts from seven counties to consider. ****see Attachment for copies****

5. Other Business - Lou Klein mentioned that some of the response letters to Department Heads did not come through well from the April Meeting attachments. There were also two more response letters included in the May minutes. **Meg follow-up**

Next Meeting is Tuesday, July 24th at 4:30 PM